



## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 12, 2005 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: MAXWELL et al.

Appln. No.: 10/606,671

Filed: June 25, 2003

For: BREATH FRESHENING AND ORAL  
CLEANSING PRODUCT WITH MAGNOLIA  
BARK EXTRACT

Attorney Docket No: 1391/1555

Examiner: R.A. Davis

Art Unit: 1761

Wrigley No. MAGBAR 01

BRINKS  
HOFER  
GILSON  
& LIONE

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached are:

- ☒ Amendment and Request for Reconsideration Under 37 CFR 1.111; Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection; Third Supplemental Information Disclosure Statement; Third Supplemental PTO Form 1449; copies of cited references D3-D5.
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	41	Minus	70	0	x \$25=			x \$50=	
Indep.	1	Minus	4	0	x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☒ A check in the amount of \$130.00 for the Terminal Disclaimer fee is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

September 12, 2005  
Date

Jasper W. Dockrey (Reg. No. 33,868)